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OFFICE OF PETITIONS

In re Patent No. 7,477,405
Finarov et al.
Issue Date: January 13, 2009
Application No. 10/724,113
Filed: December 1, 2003
Attorney Docket No. Finarov=3A
Title: Method and System for
Measuring Patterned Structures

:
: DECISION UPON REMAND AND
: RECONSIDERATION OF
: PATENT TERM ADJUSTMENT
: AND NOTICE OF INTENT
: TO ISSUE CERTIFICATE OF
: CORRECTION
:

This is a decision following remand from the District Court for the District of Columbia regarding the patent term adjustment indicated on the above-identified patent. The Court remanded this matter to the U.S. Patent and Trademark Office for recalculation of the patent term adjustment in accordance with the decision in Wyeth & Elan Pharma Int'l Ltd. v. Kappos, 591 F.3d 1364 (Fed. Cir. 2010).

The patent term adjustment indicated on the above-identified patent has been recalculated as directed by the Court. The term of the above-identified patent is extended or adjusted by one thousand one hundred and thirty-one (1131) days.

The application is being forwarded to the Certificates Branch for issuance of a certificate of correction indicating that the term of the above-identified patent is extended or adjusted by one thousand one hundred and thirty-one (1131) days.

Telephone inquiries specific to this matter should be directed to Senior Legal Advisor Kery A. Fries at (571) 272-7757.

/Kery A. Fries/

Patent No. 7,477,405

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Kery Fries

Senior Legal Advisor Attorney

Office of Patent Legal Administration

Office of Associate Commissioner

For Patent Examination Policy

Enclosure: Copy of DRAFT Certificate of Correction

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT : 7,477,405 B2

DATED : January 13, 2009

DRAFT

INVENTOR(S) : Finarov et al.

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the cover page,

[*] Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 USC 154(b) by 472 days

Delete the phrase "by 472 days" and insert -- by 1131 days--

Day : Wednesday

PALM INTRANET

Date: 8/18/2010

Time: 10:57:39

PTA Calculations for Application: 10/724113

Application Filing Date:	12/01/2003	PTO Delay (PTO):	774
Issue Date of Patent:	01/13/2009	Three Years:	0
Pre-Issue Petitions:	0	Applicant Delay (APPL):	302
Post-Issue Petitions:	0	Total PTA (days):	1131
PTO Delay Adjustment:	659		

File Contents History

Number	Date	Contents Description	PTO	APPL	START
67	08/18/2010	ADJUSTMENT OF PTA CALCULATION BY PTO	659		
61.5	12/22/2008	PTA 36 MONTHS	261		
61	01/13/2009	PATENT ISSUE DATE USED IN PTA CALCULATION			
60	12/15/2008	EXPORT TO FINAL DATA CAPTURE			
59	12/10/2008	DISPATCH TO FDC			
58	12/10/2008	APPLICATION IS CONSIDERED READY FOR ISSUE			
57	12/08/2008	ISSUE FEE PAYMENT VERIFIED			
56	12/08/2008	ISSUE FEE PAYMENT RECEIVED			
55	10/09/2008	FINISHED INITIAL DATA CAPTURE			
54	09/12/2008	EXPORT TO INITIAL DATA CAPTURE			
53	09/09/2008	MAIL NOTICE OF ALLOWANCE			
52	09/08/2008	ISSUE REVISION COMPLETED			
51	09/08/2008	NOTICE OF ALLOWANCE DATA VERIFICATION COMPLETED			
50	09/08/2008	DOCUMENT VERIFICATION			
49	09/02/2008	NOTICE OF ALLOWABILITY			
41	08/29/2008	DATE FORWARDED TO EXAMINER			
40	07/24/2008	RESPONSE AFTER NON-FINAL ACTION	87	38	
39	07/24/2008	REQUEST FOR EXTENSION OF TIME - GRANTED			
38	01/28/2008	MAIL NON-FINAL REJECTION			
37	01/22/2008	NON-FINAL REJECTION			
34	10/31/2007	DATE FORWARDED TO EXAMINER			
33	10/25/2007	RESPONSE AFTER NON-FINAL ACTION	61	31	
32	10/25/2007	REQUEST FOR EXTENSION OF TIME - GRANTED			
31	05/25/2007	MAIL NON-FINAL REJECTION	57	22	

30	05/24/2007	MAIL-PETITION DECISION - GRANTED			
28	04/02/2007	NON-FINAL REJECTION			
27	12/01/2003	INFORMATION DISCLOSURE STATEMENT CONSIDERED			
26	03/16/2004	INFORMATION DISCLOSURE STATEMENT CONSIDERED			
25	03/29/2007	DATE FORWARDED TO EXAMINER			
24	01/04/2007	SUPPLEMENTAL RESPONSE		36	22
23	03/29/2007	DATE FORWARDED TO EXAMINER			
22	11/29/2006	RESPONSE TO ELECTION / RESTRICTION FILED		118	17
21	11/29/2006	REQUEST FOR EXTENSION OF TIME - GRANTED			
20	02/12/2007	CASE DOCKETED TO EXAMINER IN GAU			
19	01/04/2007	PETITION ENTERED			
17	05/03/2006	MAIL RESTRICTION REQUIREMENT	456		-1
16	05/01/2006	REQUIREMENT FOR RESTRICTION / ELECTION			
15	03/16/2004	REFERENCE CAPTURE ON IDS			
14.7	03/16/2004	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
14	03/16/2004	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
13	04/16/2004	IFW TSS PROCESSING BY TECH CENTER COMPLETE			
12	04/16/2004	CASE DOCKETED TO EXAMINER IN GAU			
11.7	12/01/2003	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
11	12/01/2003	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
10	02/27/2004	APPLICATION RETURN FROM OIPE			
9	03/01/2004	APPLICATION IS NOW COMPLETE			
8	03/01/2004	PRE-EXAM OFFICE ACTION WITHDRAWN			
7	02/27/2004	APPLICATION RETURN TO OIPE			
6	02/27/2004	APPLICATION DISPATCHED FROM OIPE			
5	03/01/2004	APPLICATION IS NOW COMPLETE			
4	02/10/2004	CLEARED BY OIPE CSR			
3	02/10/2004	CASE CLASSIFIED BY OIPE			
2	01/19/2004	IFW SCAN & PACR AUTO SECURITY REVIEW			
1	12/01/2003	INITIAL EXAM TEAM NN			

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EXPLANATION OF PTA CALCULATION**EXPLANATION OF PTE CALCULATION**

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